

**PROJECT DEVELOPMENT BOARD  
REGULAR MEETING and PUBLIC HEARING  
NOVEMBER 21, 2005  
6:00 P.M.**

LUMCO,  
AOC CONSTRUCTION FILE  
COUNTY: LAUREL  
FILE CODE: PDB1  
SUBMITTED BY: J/K  
DATE: 13 Dec 06

A Regular Meeting of the Project Development Board (PDB) and Public Hearing for Proposals for Real Estate for the Laurel County Judicial Center was held on November 21, 2005 at Carnaby Square Shopping Center, Laurel County Fiscal Courtroom, London, Kentucky. Present and presiding Lawrence Kuhl, Laurel County Judge Executive.

**1. CALL TO ORDER**

Judge Kuhl called the Regular Meeting and Public Hearing of the Project Development Board to order.

**2. ROLL CALL**

Laurel County Project Development Board Secretary, Sandy Wallace, took roll as follows:

Garlan Vanhook, Project Manager-Present  
Lawrence Kuhl, Judge/Executive-Chairman- Present  
Roy Crawford, Magistrate-Present  
Roderick Messer, Circuit Judge-Present  
Roger Schott, Circuit Clerk-Present  
Warren Scoville, Attorney-Present  
Doug Reece, Attorney-Present

**(Others Present)**

Chenault Woodford, CMW Architects  
Mayor Ken Smith, City of London  
Sherri Mosley, London Downtown  
Bret James, J & J Enterprises  
Peggy Pratt, London Medical Arts Building  
Heidi Weatherly  
Sallie Davidson, Realtor, Brian House

**3. READING AND APPROVAL OF MINUTES OF THE PREVIOUS MEETINGS**

A motion was made by Roger Schott and second by Judge Messer to approve the minutes of the October 14, 2005 and November 7, 2005 meetings as received and reviewed. The vote was taken and carried as follows:

Yes carries unanimously.

#### **4. OLD OR UNFINISHED BUSINESS (Agenda Changed)**

Judge Kuhl stated that he would like to change the Agenda around and go down to New Business since we have people here that may want to make their proposals for the Real Estate that was advertised. We have invited them to come for a Public Hearing tonight.

#### **5. NEW BUSINESS**

##### **A. Review and Discuss Real Estate Proposals**

Judge Kuhl stated that the Board had copies of the proposals listed on the Agenda and there may be more that will be presented.

##### **(1) Curry Oil Company**

There was no representative present.

##### **(2) J & J Enterprises**

Judge Kuhl recognized Bret James

Mr. James stated that he would answer any questions and that there was a map of the location of the property in the packet presented.

Judge Kuhl stated that the way the advertisement read was that we wanted maps, surveys, environmental studies; some letters stated that they didn't want to price their properties, but they want to be in a position to negotiate after the Board decides what they want to do or direct me to do.

Mr. James continued stating that the proposal is between West 2<sup>nd</sup> Street and West 1<sup>st</sup> Street and falls between Main Street and Broad Street. The Joe T. Roberts lot is not a part of their proposal. Each lot has a price and they are priced individually.

Judge Kuhl stated that the prices are on the second page of the proposal.

Doug Reece stated that there are five (5) plats and asked if Mr. James represented all five (5).

Mr. James stated that he represented four (4); everything but the Joe T. Roberts property.

Judge Kuhl state that Joe T. Roberts did not present anything to us, but he has verbally talked to me and may have talked to some of you. He stated that he would be willing to talk if this is the area that the Board decides to try to put together.

Warren Scoville asked if it wasn't true that some of the owners are reluctant to put a price right now because the PVA may come along and tell you that your property is worth just what you offered to sell it for.

Judge Kuhl stated that was correct.

Doug Reece asked if the .765 acres included the Joe T. Roberts property or just the four (4) lots.

Mr. James stated that was just the four (4) lots.

Mr. Reece asked if with the addition of the Joe T. Roberts property, what would be the total acreage.

Mr. James stated that he could guess and he would say close to an acre.

Judge Kuhl stated that the city blocks are suppose to be 200' x 200'.

**(3) Dr. James McCracken**

Judge Kuhl stated that Dr. McCracken has two (2) properties to present and would sell either one or both properties. One is located on South Broad Street and the other on North Main Street; the large building that used to be referred to as the Belk's Building and lot. There was no price proposed.

**(4) Dr. William Pratt**

Judge Kuhl recognized Peggy Pratt.

Ms. Pratt stated that she didn't have anything additional to add to the proposal. Ms. Pratt said that it was the same price as was offered before and it is a city block. It is next door to the block where the parking garage is going to occur. We felt like that with those two blocks together, it would be an ideal location because it would be adjacent to the County Courthouse and within walking distance of all the legal buildings in town.

Judge Kuhl stated that Item #6 on your cover letter is the price of \$2,300,000.

Ms. Pratt stated that was the appraisal. The appraisal was done by a local appraiser.

Doug Reece asked if the land was appraised at so much for the land and the building appraised at so much.

Ms. Pratt stated that she thought it was combined.

**(5) High Richards, Elmer Cunnagin and Melvin Vaughn**

Judge Kuhl stated that according to the proposal that Mr. Richards had met with other property owners on that block, Elmer Cunnagin and Melvin Vaughn. First National Bank has half of that block and the City owns the building where the Fire Department used to be and Mr. House owns a small lot between that building and the back of Mr. Cunnagin's building.

Judge Kuhl stated that Mr. Richards did not indicate any price; it is one of those situations where they would like to get with us provided that First National Bank decided not to build and that block would be available.

**(6) Heidi Weatherly**

Judge Kuhl stated that Ms. Weatherly owns the house behind Curry Oil Company facing Broad Street.

**(7) Brian House**

Judge Kuhl stated that from Sallie Davidson Realtors we have Brian House's property which is located facing Fifth Street and he has indicated that the total cost would be \$1,200,000.

Judge Kuhl recognized Sallie Davidson.

Ms. Davidson stated that the proposal had all the information and if there was any additional information the Board needed they could contact her office. Ms. Davidson stated that the property was a city block.

Doug Reece asked when Ms. Davidson turned in the proposal.

Ms. Davidson stated that the agent working with Brian House had dropped it off and she wasn't sure when that was.

Doug Reece stated that it wasn't on the Agenda.

Judge Kuhl stated that it was brought to his office today.

Garlan Vanhook stated that, technically, showing up here tonight at this public meeting, you can accept it.

Mr. Reece stated that he knew that.

There were no further questions for Sallie Davidson.

Judge Kuhl stated that he appreciated Mayor Smith and Sherri Mosley coming tonight.

**(6) Heidi Weatherly (Additional Discussion)**

Judge Kuhl recognized Heidi Weatherly and asked if the Board had any question for her concerning her property.

Roger Schott asked about the size of the lot.

Ms. Weatherly stated that it was 75' x 70'.

**Discussion Concerning the Amount of Land Needed**

Doug Reece asked about the area that would be necessary, minimum.

Chenault Woodford, CMW, stated that he and Garlan Vanhook needed to answer the question; they may have similar or dissimilar answers.

Mr. Woodford continued that the building is programmed for a certain size. The building footprint, just the building itself; no sidewalks, no parking or anything else, it is going to take up about one-third of an acre. Mr. Woodford continued that if you realize the building itself will take up that much area, at least; I don't believe the AOC standards list a specific amount of parking that is required, but it is not uncommon for a courthouse this size to need parking for two hundred (200) cars or more.

Mr. Woodford stated that you could park about one hundred (100) cars per acre if it is all just surface parking. Structure parking, you divide that by the number of layers of parking that you actually provide. The parking normally needs to be close to the actual courthouse itself, but sometimes it is not necessary that it be contiguous to it.

Mr. Woodford continued that he thought if you were looking for the perfect site, then you would be looking for two and one-half (2 ½) acres. Mr. Woodford stated that he didn't think you were going to find the perfect site in any county seat in Kentucky downtown.

Mr. Woodford said that there will have to be some kind of compromise or separation in order to make a practical solution.

Garlan Vanhook stated that when we budget for these projects, obviously, we want to target what is the optimal program need. The two (2) to two and one-half (2 ½) acres is actually identified in our Program Document that we went to the Legislature and presented to them. Mr. Vanhook continued that the idea that they all have some compromise to make, versus the values of the land in the towns that we are working

in, there is a compromise to be made; but, depending on the value of land, it doesn't say that we can't start to explore further and further from town either. Those issues all would come up. The compromises that we would make would be in what we consider the best interest of the Courts and the best interest of the County to come up with the right parcel of land.

Roger Schott stated that if we had a block 200' x 200' we could go underneath for the first level of parking.

Mr. Vanhook stated that we could put secure parking under the building, relative to elected officials, staff and any kind of security issues can go under the building. Public parking cannot be under the building.

Judge Kuhl asked if there was any further discussion and there was none.

#### **4. OLD OR UNFINISHED BUSINESS**

Judge Kuhl recognized Mr. Chenault Woodford, with CMW Architects.

Mr. Woodford stated that CMW anticipated coming to all the meetings because the meetings are about the project that we are hired to be your architect for. It is hard to conceive that something would happen here that we wouldn't need to know.

Mr. Woodford continued that for each meeting CMW would furnish a brief report that is intended to keep you informed about what we are doing and this first one shows the typical format. There are two sections; Items for Information and Items for Decision. That does not necessary mean items for decision on the date that we present the information.

We are currently working with Mr. Vanhook's office to develop the architectural contract and to get it prepared for signature. We would like to follow-up with the leadership and Development Board to start setting up appointments for interviews with the users of the building because it is not necessary that we delay progress on the development of some aspects of the project until the real estate issues are solved. The things that can be done are program verifications and meetings with the key players.

Mr. Woodford continued stating that they have attached to the document a sample of an evaluation matrix that we have that we have used on other projects. We suggest that in the process of analyzing these sites that some matrix similar to this be used so that you are able to evaluate the things that are important.

One of the items or decisions, we are required to put an attachment to our architectural agreement that list the hourly rates of our personnel; should hourly rate efforts be authorized. The basic project is going to be a fixed fee based on the construction value that is established in the program, but there are certain additional services items that could come up; that could trigger these hourly rates. For example,

if you get a lawsuit and we are called to serve as a witness in a lawsuit, this establishes what hourly rate might be.

Mr. Woodford continued that if we are required to do some kind of work that is not in the basic services package, this describes what the hourly rates are. Don't look at the hourly rate and think that everything we do is according to these rates; it is not. This is just for the extra stuff.

Garlan Vanhook added that just for clarification, any of these additional services would first be presented to you for approval before they would be triggered. The debate would happen here first.

Mr. Woodford state that Mr. Vanhook has been very canny and closed the door on a lot of architects favorite opportunities for additional services.

Judge Kuhl asked if these were the rate that we need to look at approving.

Mr. Woodford answered that, eventually, if you approve the contract, you will also be approving the rate schedule.

#### **A. Review and Discuss Construction Manager Proposals Received**

Judge Kuhl stated that the Board had received copies of the Construction Manager Proposals and had been asked to review the proposals prior to the meeting.

Judge Kuhl asked for a motion to go into closed session and asked that the record reflect that Mr. Woodford, CMW, would be present during discussions.

A motion was made by Judge Messer and seconded by Warren Scoville that the Board go into closed session. The vote was taken and carried as follows:

Yes carries unanimously.

A motion was made by Warren Scoville and seconded by Doug Reece that the Board come out of closed session. The vote was taken and carried as follows:

Yes carries unanimously.

##### **(1) Motion-Real Estate**

A motion was made by Warren Scoville and seconded by Roy Crawford to give Laurel County Judge Executive Lawrence Kuhl the authority to negotiate with property owners for the purchase, lease or whatever of the properties for the building of the Judicial Center. The vote was taken and carried as follows:

Yes carries unanimously.

**(2) Motion-Construction Manager**

A motion was made by Judge Messer and seconded by Roger Schott that Codell Construction, Messer Construction, Hacker Brothers, Inc., and McKnight & Associates be invited for interviews with the Project Development Board on November 28, 2005 beginning at 6:00 p.m. The vote was taken and carried as follows:

Yes carries unanimously.

**(3) Motion Amendment-(1) Real Estate-Appraisals**

Warren Scoville amended his motion in regard to the negotiation for the purchase of real estate to include allowing Judge Kuhl to acquire whatever tools needed for negotiations; such as real estate appraisals.

**6. OTHER BUSINESS**

Garlan Vanhook asked about the Financial Agents.

Judge Kuhl stated that Ross, Sinclair and Associates had been notified, but we do not have contracts yet.

**7. ANNOUNCEMENTS**

Judge Kuhl stated that the next regular meeting will be on December 19, 2005 at 6:00 p.m. The called meeting to interview construction manager will be November 28, 2006 beginning at 6:00 p.m.

**8. ADJOURNMENT**

A motion was made by Judge Messer and seconded by Roger Schott that the meeting be adjourned. The vote was taken and carried as follows:

Yes carries unanimously.

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Lawrence Kuhl, Chairman Project Development Board  
Laurel County Judge/Executive

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Sandra C. Wallace, Secretary Project Development Board